

E-FILED 01-07-2010

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

WEI XIAN YANG,

No. C08-03956 HRL

Plaintiff,

v.

ORDER OF DISMISSAL

CHINA CHINA, INC. dba CHINA CHINA
RESTAURANT AND BUFFET, CHUN JENN
JI and DOES 1-10,

Defendants.

On June 18, 2009, this court conditionally granted defense counsel's motion to withdraw. The court's docket indicated that there subsequently was no activity in the case. According to a January 6, 2010 status report filed by plaintiff's counsel, it now appears that plaintiff has returned to China and will not be participating in the upcoming pretrial conference and trial. Accordingly, the January 12, 2010 pretrial conference and January 19, 2010 bench trial are vacated, and this action is dismissed. FED. R. CIV. P. 41. The clerk shall close the file.

SO ORDERED.

Dated: January 7, 2010



HOWARD R. LLOY
UNITED STATES MAGISTRATE JUDGE

United States District Court

For the Northern District of California

1 5:08-cv-03956-HRL Notice has been electronically mailed to:

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